

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. 10/529,347  
 Applicant(s): Marco CASTELLO  
 Filed: March 25, 2005  
 Title: HEAT EXCHANGE UNITS  
 TC/A.U.: Not yet assigned  
 Examiner: Not yet assigned  
 Docket No.: 82062-0150  
 Customer No.: 24633

Confirmation No.: 6682

**Mail Stop Missing Parts**  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**

Sir:

This is in response to the Notice of Missing Requirements dated October 20, 2005, in the above-identified application.

1. **Combined Declaration and Power of Attorney:**

☒ **Enclosed.** This application was filed without an executed Declaration and Power of Attorney.

2. **Assignment:**

☒ An assignment of the invention to RUTHS S.p.A. and a PTO Form-1595, Recordation Form Cover Sheet are filed concurrently under separate cover.

3. ☐ Applicant petitions for an extension of time, the fees for which are set forth in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>Fee for Small Entity</u>
<input type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two months	\$ 450.00	\$ 225.00
<input type="checkbox"/> three months	\$ 1020.00	\$ 510.00
<input type="checkbox"/> four months	\$ 1590.00	\$ 795.00
<input type="checkbox"/> five months	\$ 2160.00	\$ 1080.00

Extension of time fee due with this request: \$ 0.00

If an additional extension of time is required, please consider this a Petition therefore.

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4. **Fee Calculation (37 C.F.R. § 1.16):**

CLAIMS FOR FEE CALCULATION				
	Number Filed	Number Extra	at Rate of	Fees
Total Claims (37 C.F.R. §1.16(c))	20 - 20 =	0	\$ 50/25 ea =	0.00
Independent (Claims 37 C.F.R. §1.16(b))	1 - 3 =	0	\$ 200/100 ea =	0.00
Basic Filing Fee \$300/150				Paid 3/25/2005
Utility Search Fee \$500/250				Paid 3/25/2005
Examination Fee \$200/100				Paid 3/25/2005
Utility Application Size Fee—for each additional 50 sheets that exceeds 100 sheets \$250/125				0.00
Declaration Surcharge under 37 C.F.R. § 1.16(e)				130.00
Multiple Claim Fee \$360				0.00
Two-Month Extension of Time				0.00
<b>TOTAL =</b>				<b>130.00</b>
Minus ½ for Small Entity				65.00
<b>TOTAL FILING FEE</b>				<b>65.00</b>

5. **Fee Payment:**

☒ A check in the amount of **\$ 65.00** is enclosed for fees noted above.

☐ Authorization is given to charge \$ \_\_\_\_\_ to Deposit Account 50-1349 for the fees due as specified above.

6. ☒ **Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-1349. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3)

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7. Other:

- ☒ **Part 2 – Notification of Missing Requirements**
- ☐ Information Disclosure Statement
- ☐ PTO-1449, \_\_ documents as listed
- ☐ Preliminary Amendment
- ☐ Claim for Priority
- ☐ Certified copy of Priority Document
- ☐ Sequence Listing

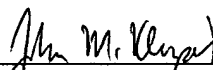
If there are any questions regarding the above-captioned patent application, please contact applicant's representative at the number given below.

Respectfully submitted,

**HOGAN & HARTSON LLP**

Dated: December 20, 2005

**HOGAN & HARTSON LLP**  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

Rec'd PCT/PTO

20 DEC 2005

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/529,347✓	FIRST NAMED APPLICANT Marco Castello	ATTY. DOCKET NO. 82062-0150
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24633  
 HOGAN & HARTSON LLP  
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HOGAN &amp; HARTSON L.L.P.

OCT 24 2005

IP DOCKETING DEPT.

INTERNATIONAL APPLICATION NO.

PCT/IT03/00358

I.A. FILING DATE

06/10/2003

PRIORITY DATE

01/17/2003

CONFIRMATION NO. 6682

371 FORMALITIES LETTER



\*OC000000017286854\*

Date Mailed: 10/20/2005

Missing Reg Due 12-20-05

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 03/25/2005
- Copy of the International Search Report filed on 03/25/2005
- Preliminary Amendments filed on 03/25/2005
- Information Disclosure Statements filed on 03/25/2005
- Request for Immediate Examination filed on 03/25/2005
- U.S. Basic National Fees filed on 03/25/2005
- Priority Documents filed on 03/25/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

JOHN L ANDERSON

Telephone: (703) 308-9140 EXT 211

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/529,347	PCT/IT03/00358	82062-0150

FORM PCT/DO/EO/905 (371 Formalities Notice)